

## **MINUTES OF THE HOWARD COUNTY PLANNING BOARD – November 1, 2007 P.M.**

Members Present: Tammy CitaraManis, Chairperson; David Grabowski, Vice-Chair; Linda Dombrowski; Ramsey Alexander, Jr.

Members Absent: Gary Rosenbaum

DPZ Staff Present: Marsha McLaughlin; J. Robert Lalush; Zan Koldewey; Mike Antol; Lisa Kenney

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### **Pre-Meeting Minutes**

The pre-meeting opened at 6:50 p.m. The Board discussed its draft meeting schedule for 2008.

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### **Minutes of 8/9/07; 8/23/07; 9/6/07 and 9/20/07**

On Motion by Ms. Dombrowski and seconded by Mr. Grabowski the minutes of August 9, 2007 were approved as amended. 3 Yea 0 Nay. Mr. Alexander abstained.

On motion by Mr. Grabowski and seconded by Ms. Dombrowski the minutes of August 23, 2007 were approved as amended. 3 Yea 0 Nay. Ms. CitaraManis abstained

On motion by Mr. Grabowski and seconded by Mr. Alexander the minutes of September 6, 2007 were approved as amended. 4 Yea 0 Nay.

On motion by Mr. Alexander and seconded by Mr. Grabowski the minutes of September 20, 2007 were approved as amended. 3 Yea 0 Nay. Ms. Dombrowski abstained.

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## **PUBLIC MEETING**

### **ZONING BOARD CASES**

#### **ZB 1069 - Ken Clements**

Presented By: Zan Koldewey  
Petition: To amend the BR rezoning granted in ZB Case No. 1063M for the subject property to include additional BR uses. East side of Ridge Road, south of I-70.  
DPZ Recommendation: Partial Approval and Approval with Modifications  
Petitioner's Representative: Richard B. Talkin, Esquire

Zan gave an overview of the request for rezoning to include additional BR uses.

Mr. Talkin explained that part of the site is an existing sawmill business. He explained the history of the site and stated that currently the original case has been appealed to the Circuit Court. He also stated that the parcel is a total of 160 acres and that the contractor area would be moved to the back of the lot and would only encompass about 2 acres of the entire parcel. Mr. Talkin explained that it is not the intention to have a separate lot created just for the sawmill business.

Ms. McLaughlin stated that staff had talked to Office of law and that the language says "lot" needed to be subdivided out, which was not the original intent. Mr. Talkin suggested that the wording "lot size" may be incorrect. He also stated that the BR zoning currently only exists on part of the lot.

Mr. Alexander questioned if contractor equipment would be located on the property. Mr. Talkin explained that some contractor equipment would be located on the 2 acre part of the parcel for the sawmill business.

**Motion:**

Mr. Alexander moved to approve staff's recommendation with the alternative A that the storage facility be denied. Mr. Grabowski seconded the motion.

**Discussion:**

Mr. Alexander stated that Petitioner did not delineate on the plan the area that is to be used as a sawmill business.

Ms. Dombrowski stated her belief that the wording of the regulation was not to require the petitioner to subdivide the parcel further.

Mr. Grabowski stated that the zone is a floating zone and would not be correct to divide up the parcel and that the language is not clear.

**Amended Motion:**

Mr. Alexander moved to approve the amendment to allow the additional permitted uses as listed. Ms. Dombrowski seconded the motion.

**Vote:**

4 yea 0 nay. The motion was carried.

**Motion:**

Mr. Alexander moved to deny the use of contractor and outdoor storage facilities. Mr. Grabowski seconded the motion.

**Vote:**

1 Yea 3 Nay. The motion was not carried.

**Motion:**

Mr. Grabowski moved to recommend approval for the use of contractor's office and indoor or outdoor storage facility with an opinion from the Office of Law as to whether there is a need for the property to be subdivided and if so the Board recommends a Zoning Regulation Amendment to eliminate the requirement to be subdivided, which would be consistent with the intent of the BR zoning district. Ms. Dombrowski seconded the motion.

**Vote:**

4 Yea 0 Nay. The motion was carried.

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**ZONING REGULATION AMENDMENTS**

**ZRA 92 – G. A. Mullinex**

Presented By:  
Petition:

J. Robert Lalush  
To amend the Zoning Regulations to allow banks and other financial institutions as permitted uses in the CCT zoning district, as well as to reduce certain setbacks in the CCT District.

DPZ Recommendation: Denial  
Petitioner's Representative: Tom Meachum, Esquire

Mr. Lalush explained the request to amend uses permitted as a matter of right in the CCT District as well as add the use of banks, savings and loans, brokers and similar financial institutions as a permanent use and to eliminate any setback from adjacent non-residential district. He also stated that CCT was purposely designed to NOT include a banking use.

Ms. Dombrowski asked what areas of CCT would be affected. Mr. Lalush explained that there are some along Route 40, Route 103, the southwest quadrant of 95 and Rt. 100 at MD 103 had been developed as well as a small area in Highland.

Mr. Meachum stated that the request would be adding another service the CCT District. He stated the use would predominately be daytime use with very little use on weekends and would serve the community. He further stated his surprise that banks were not originally included.

Mr. Glenn Mullinex stated that the his property is currently too narrow for an office building or to develop anything with substance especially if you subtract the 30 foot setback for parking.

Mr. Lalush reemphasized that CCT was developed to be a transitional district, something different than commercial. He also gave examples of some areas in the County developed as CCT which have worked well.

**Motion:**

Ms. Dombrowski moved to amend CCT permitted uses to include financial institutions, also known as bank uses. Mr. Alexander seconded the motion.

**Discussion:**

Ms. Dombrowski stated that some banks are very active, but a lot of banks don't generate a high level of traffic as some of the permitted CCT uses, such as a theatre or religious activity or library. She also stated that banks serve the community and could be viewed as a compatible use.

Mr. Alexander stated that it would make sense to add banks as a permitted use.

Mr. Grabowski stated his agreement with the Board that banks could be a permitted use.

Ms. CitaraManis stated that the staff report was very thorough and that banks would a service.

**Vote:**

4 Yea 0 Nay. The motion was carried.

**Motion:**

Ms. Dombrowski moved to support the staff recommendation regarding maintaining the existing setback from adjoining commercial property. Mr. Grabowski seconded the motion.

**Discussion:**

Ms. Dombrowski stated the variance process does exist for unusual parcels.

Mr. Grabowski stated his agreement to maintain the 30 foot setback and to also maintain transition from the commercial to the residential.

Ms. CitaraManis stated her agreement that maintaining the setback is prudent.

**Vote:**

4 yea 0 nay. The motion was carried.

**Motion:**

Mr. Grabowski moved to accept staff's recommendation to maintain the 30 foot parking setback. Mr. Alexander seconded the motion.

**Discussion:**

Mr. Grabowski stated that the reason the zone was created was to transition from commercial to residential.

Ms. Dombrowski stated that it would be the same logic that the variance process exist and could work in this case.

Mr. Alexander stated his agreement with the Board.

**Vote:**

4 yea 0 nay. The motion was carried.

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**SITE DEVELOPMENT PLAN**

**SDP-07-035 – Columbia Association**

Presented By:	Mike Antol
Petition and Location:	Village of Harpers Choice, Section 4, Area 2, Open Space Lot 2, Swansfield Community Pool Renovations – For approval of a Site Development Plan for the construction of two building additions on 4.72 acres of land zoned New Town-Open Space, Credited land use, in accordance with Final Development Plan Phase 66. The subject site is located on the east side of Cedar Lane, approximately 500 feet north of Little Patuxent Parkway, in the Sixth Election District of Howard County, Maryland.
DPZ Recommendation:	Approval
Petitioner's Representative:	

Mr. Antol gave a brief overview of the request to add two small building additions to a community pool.

**Motion:**

Mr. Grabowski moved to accept the Technical Staff Report for SDP-07-035 subject to the requirements of SRC. Mr. Alexander seconded the motion.

**Discussion:**

Mr. Grabowski stated that the additions were minor and would not change the existing site.

Ms. Dombrowski stated that the plan is consistent with the Final Development Plan.

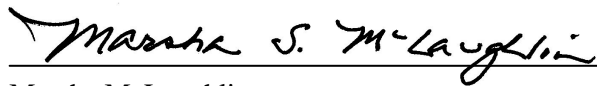
**Vote:**

4 yea 0 nay. The motion was carried.

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THERE BEING NO FURTHER BUSINESS, THE PLANNING BOARD ADJOURNED AT APPROXIMATELY 9:00 P.M.



Marsha McLaughlin  
Executive Secretary



Lisa Kenney  
Recording Secretary

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